

GUIDELINES FOR VIRGINIA GINSENG MANAGEMENT PROGRAM

The primary purpose of this program is to manage the threatened species Panax quinquefolius, American ginseng, where it occurs in the wild. It also provides a state program for the management of ginseng, both cultivated and wild, making it eligible for export by the U.S. Fish and Wildlife Service.

These guidelines explain the requirements of the Virginia Ginseng Management Program. The Program is authorized by the Endangered Plant and Insect Species Act, §3.1-1020 through §3.1-1030 of the Code of Virginia, as amended. They are intended to provide a clear and concise understanding of the program in a single document. The Guidelines are broken down by subject matter.

Harvest Season

The legal harvest season for Virginia wild ginseng is August 15 to December 31 of each year, except when wild ginseng is dug from one's own land. The purpose of this restriction is to protect wild ginseng from collection until its seeds have ripened and dispersed, helping to guarantee the establishment of new plants in wild ginseng populations. The U.S. Fish and Wildlife Service, Division of Scientific Authority, recommends delaying ginseng harvest until after September 15 to ensure that plants have set seed before they are harvested. Refer to the Landowner-Seller Declaration Form section for the requirements for selling wild ginseng harvested from one's own land prior to August 15.

Export Restrictions

The U.S. Fish and Wildlife Service will issue export permits only for mature (five (5) years old or older) ginseng roots. Since ginseng plants begin to produce seed after five years, it is critical that only mature plants be harvested to ensure their replacement and long-term survival. The age of a ginseng plant can be determined by counting the number of bud scars on its root. A single scar is produced every autumn after the plant's stem falls.

Landowner-Seller Declaration Form

A Landowner-Seller Declaration form must be completed when wild ginseng is dug from one's own land and sold prior to August 15 for green wild ginseng and September 1 for dried wild ginseng. The form attests to the fact that the wild ginseng was harvested from one's own land and makes the wild ginseng eligible for export. The form must be filled out completely and signed by the seller. The completed form should be attached to the purchase record upon which the purchase is recorded and submitted at the end of the month with the yellow copy of the purchase record.

License Requirements

Any Virginia resident purchasing ginseng for resale must obtain a dealer's license from the Virginia Department of Agriculture and Consumer Services (VDACS) annually. The licensing period is from January 1 through December 31 of each year. The licensing fee is \$10.00. It is not necessary to obtain a dealer's license to dig or sell ginseng, only to purchase ginseng for the purpose of resale.

Once a dealer's license is issued, the licensee agrees to keep and maintain records of purchases for three years and make them available to VDACS personnel upon request. Refer to the Purchase Record Form section for additional information.

An out-of-state resident will not be licensed as a dealer by VDACS if he purchases, **by mail**, Virginia **certified** ginseng from a Virginia registered ginseng dealer or Virginia ginseng digger. The out-of-state resident must comply with his or her state's regulations governing the purchase of ginseng from another state. An out-of-state resident will be issued a Virginia ginseng dealer's license if he or his agent intends on actually traveling to Virginia to purchase ginseng. Whenever a dealer's agent actually comes to Virginia and purchases Virginia ginseng, the agent is required to meet all the requirements of resident licensed dealers (maintaining purchase records and a log book, making them available for inspection by VDACS personnel and having an Inspection Certificate issued prior to the export of Virginia ginseng).

Purchase Record Form

An entry on a Purchase Record form is required for each ginseng purchase from anyone other than a Virginia registered ginseng dealer. Refer to Record of Ginseng Purchased from Virginia Dealers Form section for recording purchases from Virginia registered ginseng dealers.

There are separate forms for wild, woods grown and cultivated ginseng. Dealers must keep **separate forms for each county** of origin of the ginseng purchased. Record all required information where indicated. All Purchase Record forms must be signed and dated by the dealer.

On the orange copy (3rd copy of the 3 copy set), record the name and address of the ginseng supplier or digger in the area titled "If Received by Mail Town Postmarked." This form should be retained for three years and be made available for inspection by VDACS personnel.

At the end of each month, the yellow copy (2nd copy of the 3 copy set) is sent to the following address:

**Endangered Species Coordinator
Office of Plant & Pest Services
Virginia Department of Agriculture & Consumer Services
P. O. Box 1163
Richmond, Virginia 23218**

At the end of the calendar year, December 31, all of the white copies (top copy) are sent to the aforementioned address. This is a legal requirement of the Virginia Endangered Plant and Insect

Species Act, §3.1-1026, and must be received by January 31.

For ginseng purchased between December 31 and March 31, purchase records must still be completed as done prior to December 31. The yellow copy must be sent in monthly and the white copy must be received no later than April 30.

Ginseng purchased from out-of-state must be listed on purchase records. The U.S. Fish & Wildlife Service requires VDACS to obtain data on out-of-state purchases. Registered dealers may either record the out-of-state purchase on standard Virginia purchase record forms with the name of the state of ginseng origin printed at the top of the form where the name of the county is required or record the out-of-state purchase on the state of origin's purchase record forms. Separate purchase records must be kept for each state. The procedures for completion and submission of out-of-state purchases recorded on Virginia purchase record forms are the same as for Virginia ginseng purchase records **except that the number of the Inspection Certificate from the state of origin accompanying the ginseng must be included in the Purchase record.** This is to be written in the last column "If Received by Mail Town Postmarked" on the purchase record. If out-of-state purchases are recorded on the state of origin's purchase record forms, a photocopy of the purchase record form must be submitted at the end of each month and at the end of the calendar year for purchases prior to December 31 and at the end of March for purchases between January 1 - March 31.

An example of completed Purchase Record forms for both in-state and out-of-state purchases is in Appendix A.

Record of Ginseng Purchased from Virginia Dealers Form

Virginia registered dealers purchasing ginseng from another **Virginia registered dealer** should not record the purchase on the purchase record form; the selling dealer should have already recorded the purchase on his purchase record form. In this case, the purchase should be recorded on a Record of Ginseng Purchased from Virginia Dealers form. The form should be completed as indicated and an entry made for each ginseng purchase from another Virginia registered dealer. **It is imperative that the selling Virginia ginseng dealer's license number be included.** If the ginseng purchased has already been certified, the Inspection Certificate number for that ginseng must be entered in the last column.

An example of a completed Record of Ginseng Purchased from Virginia Dealers form is in Appendix A.

Certificate of Inspection

A Certificate of Inspection document is required to export Virginia grown ginseng, cultivated and wild, from Virginia. The certificate is issued by a VDACS inspector and affirms that the **ginseng was legally harvested in Virginia, has been inspected and the dealer's records examined making the ginseng eligible for export. Federal officials at the port will not permit the export of ginseng without a Certificate of Inspection.**

VDACS will not issue Inspection Certificates for ginseng harvested from outside Virginia. If dealers purchase non-Virginia ginseng, an Inspection Certificate from the state of origin must be supplied with the ginseng. If an Inspection Certificate will not be supplied, the dealer should make arrangements with the regulatory official of the state of origin, prior to purchasing the ginseng, to issue an Inspection Certificate. The dealer must meet the origin state's requirements for certifying ginseng.

Inspection Certificates record the weight of either cultivated, woods grown or wild ginseng and whether the ginseng is dry or green. An Inspection Certificate only can be issued for either wild, woods grown or cultivated ginseng; wild, woods grown and cultivated ginseng cannot be included on the same Inspection Certificate. Each one is individually numbered and must be signed by both the ginseng dealer and authorized inspector of the Department to be valid. The original (white copy) is forwarded with the ginseng when it is sold. Original documents are required at the ports by federal officials before they will allow export of the ginseng. The pink copy is the dealer's copy and must be retained for three years. The VDACS inspector removes the yellow copy at the time of certification.

Federal regulations prohibit VDACS personnel from issuing a Certificate of Inspection on ginseng after March 31 of the year following harvest unless the Certificate of Inspection is issued from a weight receipt. Either a Certificate of Inspection or a weight receipt must be issued by March 31 to export ginseng out of Virginia. Refer to the Weight Receipt section for additional information.

To have a Certificate of Inspection issued, the dealer must contact the nearest VDACS, Office of Plant Protection office to arrange for an inspection. It is advisable to make contact with the VDACS office as far in advance as possible. A minimum of 24 hours notice is necessary to assure you of an inspection when you desire it. Dealers should contact VDACS **no later than February 15** to schedule an appointment to issue Inspection Certificates. **Requests made after February 15 may not be able to be met due to scheduling conflicts.** A list of VDACS offices certifying ginseng is on page 6.

When a VDACS inspector arrives to conduct an inspection, the dealer should already have the containers of ginseng weighed and marked. The inspector will select containers at random and ask that they be weighed to confirm the ginseng weight as determined by the dealer. Once the weight is confirmed, the inspector will record the weight of the ginseng being certified on the Inspection Certificate. The inspector will review the purchase records of the dealer, verifying the amount of ginseng purchased versus the amount of ginseng being certified. The inspector will draw a line below the last purchase being certified on the white copy of the purchase record and write the Inspection Certificate number being issued along with his/her initials and the date on the line. **Inspectors must review dealer purchase records before issuing Certificates of Inspection.** This is a requirement of the U.S. Fish and Wildlife Service for tracking ginseng purchased and certified. The inspector will also examine the contents of these containers to verify that the ginseng is either wild or cultivated and whether it is dry or green.

This information is also recorded on the Certificate of Inspection. Upon issuance of the Certificate of Inspection, a VDACS inspector will complete the dealer's logbook. Refer to the Log Book section for additional information. An example of a completed Certificate of Inspection is in Appendix A.

Log Book

All dealers must keep a logbook of all Certificates of Inspections issued. The logbook insures that the correct shipment number is filled in on the Certificate of Inspection at the time of issuance. The logbook must contain the Certificate number (preprinted on the Certificate) and the shipment number for that calendar year.

The VDACS inspector will complete the logbook at the time of the Certificate's issuance. An example of a logbook is in Appendix A.

Weight Receipt

Weight receipts are issued to dealers and/or diggers who have ginseng that has not been issued an Inspection Certificate but will be exported out of Virginia at a later date. Federal regulations prohibit VDACS personnel from issuing an Inspection Certificate on ginseng after March 31 of the year following harvest unless it is inventoried on a weight receipt. To assist dealers/diggers, VDACS will issue weight receipts on ginseng until March 31 for future export.

Once a weight receipt is issued, the ginseng included on the weight receipt can be issued an Inspection Certificate at any time in the future. **This requires dealers to keep ginseng that is included on a weight receipt to be separated by year.**

Dealers/diggers should contact the nearest VDACS Office of Plant & Pest Services office **no later than February 15** to schedule an appointment to issue weight receipts. **Requests made after February 15 may not be able to be met due to scheduling conflicts.**

An example of a completed Weight Receipt form is in Appendix A.

OFFICE OF PLANT & PEST SERVICES
Offices Certifying Ginseng

Abingdon

306 Old Eleven Drive
Abingdon, VA 24210
Telephone: 276/628-6261

Charlottesville

900 Natural Resources Drive
P.O. Box 3758
Charlottesville, VA 22903
Telephone: 434/295-3394

Harrisonburg

116 Reservoir Street
Harrisonburg, VA 22801
Telephone: 434/433-1006

Roanoke

210 Church Ave., SW, Suite 360
Roanoke, VA 24011
Telephone: 540/857-7344

Warrenton

234 West Shirley Avenue
Warrenton, VA 20186
Telephone: 540/347-6380

Wytheville

250 Cassell Road
Wytheville, VA 24382
Telephone: 276/228-5501

APPENDIX A

1. Landowner-Seller Declaration Form
2. Purchase Record Form
 - a. in state purchases
 - b. out-of-state purchases
 - c. cultivated
4. woods grown
3. Record of Ginseng Purchased from Virginia Dealers Form
4. Log Book Form
5. Certificate of Inspection Form
6. Weight Receipt Form